

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

No. 1:12-cv-00910-PJK-RHS

\$4,950 IN UNITED STATES
CURRENCY,

Defendant,

and

RAYMOND CERVANTES,

Claimant.

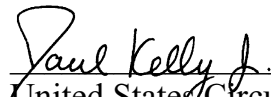
ORDER GRANTING GOVERNMENT'S MOTION TO STRIKE
CLAIMANT'S CLAIM AND ANSWER

THIS MATTER came on for consideration of the United States' Motion to Strike Claimant's Claim and Answer filed February 3, 2014 (Doc. 29) based upon Claimant Raymond Cervantes' failure to respond to special interrogatories propounded pursuant to Supplemental Rule G(6)(b). See Supplemental Rule G(8)(c)(i)(A) (allowing for such relief). Mr. Cervantes has not responded to this motion. See D.N.M. LR-Civ. 7.4(a) (allowing 14 days for a response). Accordingly, the motion should be granted because the failure to respond constitutes consent to grant the motion. D.N.M. LR-Civ. 7.1(b).

NOW, THEREFORE, IT IS ORDERED, ADJUDGED and DECREED that:

- (1) the United States' Motion to Strike Claimant's Claim and Answer filed February 3, 2014 (Doc. 29) is granted;
- (2) Claimant's Claim and Answer (Docs. 7 & 8) shall be considered stricken;
- (3) the government should forward a proposed default judgment to the court within ten days of the entry of this order.

DATED this 21st day of February 2014, at Santa Fe, New Mexico.


United States Circuit Judge
Sitting by Designation